

AMENDED IN ASSEMBLY MARCH 19, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 394**

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**Introduced by Assembly Member Members Mark Stone and Alejo**  
(Principal coauthor: Senator Monning)  
(Coauthor: Senator Cannella)

February 18, 2015

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An act to ~~amend Section 25238 of~~ add Section 25247 to the Business and Professions Code, relating to alcoholic beverage control.

LEGISLATIVE COUNSEL'S DIGEST

AB 394, as amended, Mark Stone. ~~Wine. Alcoholic beverage control:~~  
*wine labels: Monterey County.*

*The Alcoholic Beverage Control Act provides for specified labeling requirements for containers of alcoholic beverages sold within this state, including a requirement that any wine bottled on or after January 1, 2014, labeled with an American Viticultural Area established pursuant to federal law that is located entirely within a county of the 19th class, bear the designation "Sonoma County" on the label in specified type size as determined by the size of the wine container, as prescribed. The act provides that a violation of its provisions is a misdemeanor if not otherwise specified.*

*This bill would require any wine bottled on or after January 1, 2019, labeled with an American Viticultural Area established pursuant to federal law that is located entirely within the County of Monterey to bear the designation "Monterey County" on the label in specified type size as determined by the size of the wine container, as prescribed, and would provide that a violation of this provision does not subject a person to civil or criminal provisions pursuant to the act. The bill would*

*authorize the Department of Alcoholic Beverage Control to suspend or revoke the license of any person who violates these provisions.*

~~The Alcoholic Beverage Control Act requires winegrowers or bottlers of wine within specified counties to keep certain records.~~

~~This bill would make a technical, nonsubstantive change to that requirement.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 25247 is added to the Business and*  
2     *Professions Code, to read:*

3     25247. (a) Any wine labeled with an American Viticultural  
4     Area established pursuant to Part 9 (commencing with Section  
5     9.1) of Title 27 of the Code of Federal Regulations that is located  
6     entirely within the County of Monterey shall bear the designation  
7     “Monterey County” on the label in a type size not smaller than  
8     two millimeters on containers of more than 187 milliliters or  
9     smaller than one millimeter on containers of 187 milliliters or less.

10    (b) The department may suspend or revoke the license of any  
11    person who violates this section.

12    (c) This section shall not apply to any wine labeled with a  
13    viticultural area appellation of origin established pursuant to Part  
14    9 (commencing with Section 9.1) of Title 27 of the Code of Federal  
15    Regulations when the name of the appellation is “Monterey.”

16    (d) This section shall apply to wines bottled on or after January  
17    1, 2019.

18    (e) A violation of this section shall not subject a person to any  
19    civil or criminal penalties pursuant to this division.

20    ~~SECTION 1. Section 25238 of the Business and Professions~~  
21    ~~Code is amended to read:~~

22    ~~25238. Every winegrower or bottler of wine of any kind within~~  
23    ~~the counties specified in Section 25236 shall keep a record of all~~  
24    ~~wine not produced by him or her and obtained and used by him or~~  
25    ~~her for any purpose. The record shall show the date the wine is~~  
26    ~~obtained, the amount thereof, the source from which obtained, the~~  
27    ~~kind or type of wine, and, in detail, the purpose or purposes for~~  
28    ~~which the wine is used. Each winegrower or bottler of wine shall~~  
29    ~~keep a complete record showing the total amount of wine produced~~

- 1 ~~by him or her, or bottled by him or her, made entirely from grapes~~
- 2 ~~grown within the counties mentioned in Section 25236.~~

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